

Application No. 09/888,264  
Amendment dated February 10, 2006

### REMARKS

Applicants respectfully request entry and consideration of this Supplemental Amendment.

Applicants have amended claims 1, 37, 41, and 75. Applicants submit the amendments are supported throughout the specification.

Applicants have cancelled claims 34-36, 43, 52-53, and 74 without prejudice or disclaimer. Applicants reserve the right to pursue the subject matter of these claims in one or more continuation applications.

### INTERVIEW

Applicants thank Examiner Angell for the interviews on February 6, and February 8, 2006. We discussed amending claims 1 and 41 to refer to "a polypeptide having at least 95% amino acid sequence identity to the polypeptide encoded by SEQ ID NO: 2" for claim consistency and to remove reference to a redundant sequence, SEQ. ID NO:1. Claims 1 and 41 have also been amended to include a control in order to clarify the claims with regard to a change in expression or mitochondrial membrane potential. In view of the amendments to claims 1 and 41, claims 34-36, 43, 52-53 and 74 are now cancelled as they refer to SEQ ID NO:1 or would not further limit claim 1 or claim 41.

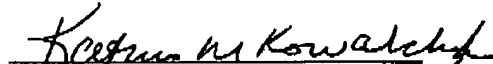
### SUMMARY

Applicants submit that the claims are in condition for allowance and notification to that effect is earnestly solicited. Applicants invite the Examiner to contact their representative if prosecution may be assisted thereby.

Respectfully submitted,

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